

Department of Transportation

(End of clause)

1252.217-79 Delays.

As prescribed at 1217.7000 (a) and (b), insert the following clause:

DELAYS (OCT 1994)

When during the performance of this contract the Contractor is required to delay work on a vessel temporarily, due to orders or actions of the Government respecting stoppage of work to permit shifting the vessel, stoppage of hot work to permit bunkering, stoppage of work due to embarking or debarking passengers and loading or discharging cargo, and the Contractor is not given sufficient advance notice or is otherwise unable to avoid incurring additional costs on account thereof, an equitable adjustment shall be made in the price of the contract pursuant to the "Changes" clause.

(End of clause)

1252.217-80 Department of Labor safety and health regulations for ship repairing.

As prescribed at 1217.7000 (a) and (b), insert the following clause:

DEPARTMENT OF LABOR SAFETY AND HEALTH
REGULATIONS FOR SHIP REPAIR (OCT 1994)

Nothing contained in this contract shall relieve the Contractor of any obligations it may have to comply with—

(a) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651, et seq.);

(b) The Safety and Health Regulations for Ship Repairing (29 CAR part 1915); or

(c) Any other applicable Federal, State, and local laws, codes, ordinances, and regulations.

(End of clause)

1252.217-81 Guarantee.

As prescribed at 1217.7000(c), insert the following clause:

GUARANTEE (OCT 1994)

(a) In the event any work performed or materials furnished by the contractor prove defective or deficient within 60 days from the date of redelivery of the vessel(s), the Contractor, as directed by the Contracting Officer and at its own expense, shall correct and repair the deficiency to the satisfaction of the Contracting Officer.

(b) If the Contractor or any subcontractor has a guarantee for work performed or materials furnished that exceeds the 60 day period, the Government shall be entitled to

1252.219-70

rely upon the longer guarantee until its expiration.

(c) With respect to any individual work item identified as incomplete at the time of redelivery of the vessel(s), the guarantee period shall run from the date the item is completed.

(d) If practicable, the Government shall give the Contractor an opportunity to correct the deficiency.

(1) If the Contracting Officer determines it is not practicable or is otherwise not advisable to return the vessel(s) to the Contractor, or the Contractor fails to proceed with the repairs promptly, the Contracting Officer may direct that the repairs be performed elsewhere, at the Contractor's expense.

(2) If correction and repairs are performed by other than the Contractor, the Contracting Officer may discharge the Contractor's liability by making an equitable deduction in the price of the contract.

(e) The Contractor's liability shall extend for an additional 90 day guarantee period on those defects or deficiencies that the Contractor corrected.

(f) At the option of the Contracting officer, defects and deficiencies may be left uncorrected. In that event, the Contractor and Contracting Officer shall negotiate an equitable reduction in the contract price. Failure to agree upon an equitable reduction shall constitute a dispute under the Disputes clause of this contract.

(End of clause)

[59 FR 40288, Aug. 8, 1994, as amended at 60 FR 55802, Nov. 3, 1995]

1252.219-70 Small business and small disadvantaged business subcontracting reporting.

As prescribed in (TAR) 48 CFR 1219.708-70, insert the following clause:

SMALL BUSINESS AND SMALL DISADVANTAGED
BUSINESS SUBCONTRACTING REPORTING (OCT 1994)

(a) The Contractor shall submit the Summary Subcontract Report (Standard Form 295 (SF-295)) to the Department of Transportation, Office of the Secretary, Office of Small and Disadvantaged Business Utilization (S-42), 400 7th St., SW, Washington, DC, 20590.

(b) The Contractor shall report the information in Blocks 14, 17 and 18 of the SF-295.

(c) The Contractor shall include this clause in all subcontracts that include the clause at (FAR) 48 CFR 52.219-9.